

CSD 1100 [09/26/06]

Name, Address, Telephone No. &amp; I.D. No.

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## UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF CALIFORNIA

325 West "F" Street, San Diego, California 92101-6991

In Re

SIMO HOLDINGS, INC., a California corporation

BANKRUPTCY NO. 11-02898

Debtor.

## AMENDMENT

Presented herewith are the original and one conformed copy of the following [Check one or more boxes as appropriate]:

☐ Petition☐ Exhibit A to Voluntary Petition☐ Exhibit C to Voluntary Petition☐ Exhibit D - Individual Statement of Compliance with Credit Counseling☐ Summary of Schedules☐ Statistical Summary of Certain Liabilities and Related Data☐ Schedule A & B - Schedule of Real or Personal Property☐ Schedule C - Schedule of Property Claimed Exempt☒ Schedule D, E, or F, and/or Matrix, and/or list of Creditors or Equity Holders - **LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS** - REQUIRES COMPLIANCE WITH LOCAL RULE 1009☒ Adding or deleting creditors (diskette required), changing amounts owed or classification of debt - \$26.00 fee required. See instructions on reverse side.☐ Correcting or deleting other information. See instructions on reverse side.☐ Schedule G - Schedule of Executory Contracts & Expired Leases☐ Schedule H - Schedule of Co-Debtor☐ Schedule I - Current Income of Individual Debtor(s)☐ Schedule J - Current Expenditure of Individual Debtor(s)☐ Statement of Financial Affairs☐ Statement of Current Monthly Income and Means Test Calculation (Form B22A)☐ Statement of Current Monthly Income (Form B22B)☐ Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Form B22C)

Dated: March 15, 2011

Signature /s/ David S. Kupetz, Esq.

Attorney for Debtor

## DECLARATION OF DEBTOR

I [We] Mark Simo and           , the undersigned debtor(s), hereby declare under penalty of perjury that the information set forth in the amendment attached hereto, consisting of 2 pages, and on the creditor matrix diskette, if any, is true and correct to the best of my [our] information and belief.

Dated: March 15, 2011

/s/ Mark Simo

Debtor

Joint Debtor

CSD 1100

REFER TO INSTRUCTIONS ON REVERSE SIDE

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court**  
**Southern District of California**

In re SIMO HOLDINGS, INC., a California corporation

Debtor(s)

Case No. 11-02898-MM11Chapter 11

**AMENDED LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff.</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>ADDED:</b> FMF Racing 18033 South Santa Fe Compton, CA 90221	FMF Racing 18033 South Santa Fe Compton, CA 90221 Telephone: (310) 631-4363 Fax: (310) 900-5699 lee@fmfracing.com	Note Payable		<b>ADDED:</b> \$2,405,565.42
<b>ADDED:</b> Suntrust Bank 303 Peachtree Street, Northeast Atlanta, GA 30308	Suntrust Bank 303 Peachtree Street, Northeast Atlanta, GA 30308	Note Payable		<b>ADDED:</b> \$2,020,784.36
Silver Triangle Industries 11211 Sorrento Valley Road Suite I San Diego, CA 92121	Silver Triangle Industries Attn: Jorge Navarro 11211 Sorrento Valley Road Suite I San Diego, CA 92121 Telephone: (858) 646-7626 Fax: (858) 646-7628 silverind@aol.com	Trade Debt		<b>CORRECTED:</b> \$1,689,436.55
<b>ADDED:</b> Don Emiler 18033 South Santa Fe Compton, CA 90221	Don Emiler 18033 South Santa Fe Compton, CA 90221	Note Payable		<b>ADDED:</b> \$602,451.91
<b>CORRECTED (Name):</b> Rogers Sports Management Group, Inc., dba Factory Direct International 337 South Main Street Post Office Box 773 Findlay, OH 45840	Rogers Sports Management Group, Inc., dba Factory Direct International Attn: Shawn Rogers 337 South Main Street Post Office Box 773 Findlay, OH 45840 Telephone: (419) 425-9636 Fax: (419) 425-9442 srogers@fdizone.com	Note Payable		\$446,790.90
Jamie Middleton 8102 North Mummy Mountain Road Paradise Valley, AZ 85253-2242	Jamie Middleton 8102 North Mummy Mountain Road Paradise Valley, AZ 85253-2242 Telephone: (480) 609-1922 4jilm@aol.com	Note Payable		<b>CORRECTED:</b> \$365,063.92

B4 (Official Form 4) (12/07) - Cont.

In re SIMO HOLDINGS, INC., a California corporation

Case No. \_\_\_\_\_

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>CORRECTED:</b> Heather Moates 7223 Mimosa Carlsbad, CA 92009	Heather Moates 7223 Mimosa Carlsbad, CA 92009 Telephone: (760) 473-6687	Note Payable		\$255,561.36
<b>DELETED:</b> FMF International, Inc. 1812 Ashton Avenue Carlsbad, CA 92006				<b>DELETED:</b> \$230,658.75

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Chief Executive Officer of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date March 15, 2011

Signature /s/ Mark Simo  
Mark Simo  
Chief Executive Officer

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

**AMENDED**

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**INSTRUCTIONS**

- A. Each amended page is to be in the same form as the original but is to contain ONLY THE INFORMATION TO BE CHANGED OR ADDED. Pages from the original document which are not affected by the change are not to be attached.
1. Before each entry, specify the purpose of the amendment by inserting:
    - a. "ADDED," if the information was missing from the previous document filed; or
    - b. "CORRECTED," if the information modifies previously listed information; or
    - c. "DELETED," if previously listed information is to be removed.
  2. At the bottom of each page, insert the word "AMENDED."
  3. Attach all pages to the cover page and, *if a Chapter 7, 11, or 12 case*, serve a copy on the United States Trustee, trustee (if any) and/or the members of a creditors' committee. *If a Chapter 13 case*, serve a copy on the trustee; DO NOT serve a copy on the United States Trustee.
- B. Comply with Local Bankruptcy Rule 1009 when adding or correcting the names and/or addresses of creditors (diskette required when Amendment submitted on paper) or if altering the status or amount of a claim.

**AMENDMENTS THAT FAIL TO FOLLOW THESE INSTRUCTIONS MAY BE REFUSED****\*\* AMENDMENTS FILED AFTER THE CASE IS CLOSED ARE NOT ENTITLED TO A REFUND OF FEES \*\*****CERTIFICATE OF SERVICE**

I, the undersigned whose address appears below, certify:

That I am, and at all times hereinafter mentioned was, more than 18 years of age;

That on March 14, 2011, I served a true copy of the within AMENDMENT by U.S. MAIL.

on the following persons [set forth name and address of each person served] and as checked below:

☐ Chpt. 7 Trustee:

For Chpt. 7, 11, &amp; 12 cases:



For EVEN numbered Chapter 13 cases:

UNITED STATES TRUSTEE  
 Department of Justice  
 402 West Broadway, Suite 600  
 San Diego, CA 92101

I certify under penalty of perjury that the foregoing is true and correct.

Executed on March 15, 2011  
 (Date)

/s/ Lauren Dionneau  
 Lauren Dionneau, Legal Secretary  
**SulmeyerKupetz**  
 333 South Hope Street  
 35th Floor  
 Los Angeles, CA 90071-1406  
 Address

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